IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

JOAO BOCK TRANSACTION SYSTEMS, \$ LLC, \$ \$ CIVIL ACTION NO. 1:11-CV-06472 v. \$ Judge Harry D. Leinenweber FIRST NATIONAL BANK, ET AL. \$ Defendants. \$ \$ \$

PLAINTIFF'S NOTICE OF RECENT DEVELOPMENT

Plaintiff Joao Bock Transaction Systems, LLC ("Plaintiff") submits this Notice of Recent Development relevant to this case and the Parties that remain in this action. The remaining Defendants Barrington Bank & Trust Company, N.A., American Chartered Bank, Bridgeview Bank Group, Northbrook Bank & Trust Company, Hinsdale Bank & Trust Company, Lake Forest Bank & Trust Company, Libertyville Bank & Trust Company, North Shore Community Bank & Trust Company ("Defendants") have informed Plaintiff that they use or rely upon products and services provided by and sold by Fidelity National Information Services, Inc. ("Fidelity") which products and services form part of the Accused Products and Services that Plaintiff alleges infringe United States Patent No. 6,047,270 (the "270 patent").

Plaintiff has a co-pending lawsuit in the Middle District of Florida against three Defendant banks who have asserted a similar position in that the products accused of infringing the '270 patent are provided by Fidelity.¹ See case no. 8:11-cv-00887-MSS-TGW

¹ At the time of filing the instant case and the Florida Lawsuit, Plaintiff was unaware of Fidelity's involvement with the Accused Products and Services.

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(M.D. Fla.) (the "Florida Lawsuit"). The Florida Lawsuit was commenced on April 22, 2011.

The circumstances and facts of this Illinois Lawsuit are similar to the Florida Lawsuit in that

Fidelity is indemnifying the Defendants (Fidelity's customers), and is involved in discovery as

a third party.

The Honorable Judge Scriven recently stayed discovery in the Florida Lawsuit while

the Court takes under consideration a Motion to Stay filed by the Florida Defendants in that

action. See Exhibit A: Florida Dkt. No. 218, Order Staying Discovery issued on April 26,

2013). The Florida Defendants' Motion to Stay refers to a case that Plaintiff initiated against

Fidelity on March 1, 2013. See case no. 3:13-cv-00223-MMH-JRK (M.D. Fla.) (the "FIS

Lawsuit"). Defendants allege that the FIS Lawsuit will resolve some or all of the issues before

the Florida Court with the Florida Lawsuit. Plaintiff disputes Defendants' position, as it

believes that there are at most just a few services that may overlap, but that the vast majority

of FIS's infringement does not relate to or overlap with the issues raised in the Florida

Lawsuit.

The Defendants in this Illinois Lawsuit are similarly situated as the Defendants in the

Florida Lawsuit due to the similarities in the Defendants' Accused Products and Services, and

similarities in FIS's involvement in third party discovery requests as the vendor supplying

and/or supporting the Accused Products and Services.

Because of these similarities in facts and posture of the Parties, Plaintiff provides this

Notice of Recent Development to this Honorable Court.

Dated: May 16, 2013

Respectfully submitted,

/s/ Maureen V. Abbey

Maureen V. Abbey, Pro Hac Vice

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CERTIFICATE OF SERVICE

I, Maureen V. Abbey, an attorney, hereby certify that on May 16, 2013, I caused to be

served the NOTICE OF RECENT DEVELOPMENT with the Clerk of the Court using the

CM/ECF system, which will send an electronic copy of the foregoing to all counsel of record

and constitutes service under Federal Rule of Civil Procedure 5(b)(2)(E) pursuant to Local

Rule 5.9 of the Northern District of Illinois.

/s/ Maureen V. Abbey

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